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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Jacopo Zanon, et al.	Confirmation No. 9567	
Serial No.:	10/509,668	Examiner:	David K. O'Dell
Filed:	January 4, 2005	Group Art Unit:	1625
For:	Method of Manufacturing Sertindole		

April 25, 2008

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF THE SUBSTANCE OF THE APRIL 15, 2008 INTERVIEW

Applicants respectfully request this Statement of the Substance of the April 15, 2008 Interview (the "Statement") with regard to the merits of the above-identified application be made of record.

The due date to file the Statement is May 15, 2008. Accordingly, this Statement is being timely filed. No fee is deemed necessary in connection with the filing of this Statement; however, if any fee is required, authorization is hereby given to charge the fee to Deposit Account No. 503201.

Summary begin on page 2 of this paper.
Remarks begin on page 4 of this paper.

SUMMARY

Interview:

(1) Interview date: April 15, 2008

(2) Interview type: Personal

Participants:

(3) Examiner(s): Rita J. Desai and David O'Dell

(4) Applicant's Representative(s): Stephen G. Kalinchak and Margaret M. Buck.

Details:

(5) Claims discussed: All claims

(6) Identification of prior art:

for 35 U.S.C. §103(a)

- Perregaard, et al. J. Med. Chem. 1992, 35, 1092-1101, and
- Klapars, et al. J. Amer. Chem. Soc. 2001, 123, 7727-7729, or
- Kang, S.K. , et al. Synlett. 2002, 3, 427-430, in further view of
- Sarges, et al. J. Med. Chem. Lett. 1989, 32, 437-444.

Substance of Interview:

The substance of the Interview reflected the position and arguments of the Applicants as put forth in Applicants' Response dated March 27, 2008. Applicants' representatives offered the following specific points:

Perregaard, et al. repeatedly teaches away from using the Ullmann reaction (Method A) to make 5-chloro-indoles, the starting material for the process of the present invention;

- Perregaard, et al. teaches away in focusing on Methods C and D by:
    - noting that certain indoles are inaccessible or at least inconveniently prepared by Methods A and B and then elaborating on the preparation of 5-chloro-indole, among others, by Method C, and
    - further noting the anticipation of 3-acetoxyindoles being more easily available precursors since indolin-3-ones were the key intermediates of Method C, then elaborating on their preparation via a one-step reaction, which then easily afforded the desired indoles, including 5-chloro-indole and denoting this as Method D; and
    - stating that Method D appeared to be the most versatile of Methods A, B, C and D; and
- That the other three prior art references (see above) contain no teachings related to reacting/producing a 5-halogenated indole or reacting a di-halogenated aryl, much less a suggestion or motivation to produce 5-chloro-indole.

No clear conclusion was reached.

REMARKS

Applicants maintain that this Statement is complete and accurate regarding the substance of the April 15, 2008 Interview, and respectfully request the Statement be made of record in connection with the present application.

If a telephone interview would be of assistance to the Examiner's review of this Statement, the undersigned invites the Examiner to telephone the number provided below.

Respectfully submitted,

/Margaret M. Buck, #51,010/

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